REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

Claims 33-60 were previously pending in the application. Claim 56 is canceled; leaving claims 33-55 and 57-60 for consideration.

Claims 33-60 were rejected under 35 U.S.C. 103(a) as being unpatentable over SORVARI et al. U.S. Publication Number 2004/0043758 in view of BARRY et al. U.S. Publication Number 2005/0216421. That rejection is respectfully traversed.

The present invention discloses a solution for using person-based metadata in data processing. The phase of attaching of the metadata is made easier for the user through offering for selection his or her own name information available together with at least a part of the data that is currently being annotated. Each name in the name information is related to a subscriber address in a telecommunications network, and after the user has made the selection, this subscriber address is fetched and attached as person-based metadata to the data element. The person-based metadata may then be used as a basis for checking access rights to the data item.

SORVARI discloses a solution where a wireless device is enabled to compile multiple lists of bookmarks that are organized on the basis of user access. The solution also proposes automatic organization of the bookmarks and their presentation to the

users. The wireless device determines a current context which is inferred through sensory information from sensors of the device (e.g., location sensor, speed sensor, light sensor, sound sensor, etc.), clock, user's activities, and so forth. This context may be used as a basis for deciding which services to recommend to the user via the user interface.

As for recited data item, the Official Action made reference to paragraph [0050] of SORVARI that discloses reception of WML data from remote servers. It could thus be assumed that the Examiner's intention was to show correspondence between data items in the present invention with selection of recommended bookmarks in SORVARI.

With respect to attaching person-based metadata, reference was made to Figures 13 and 14C of SORVARI. Figure 13 indicates the automatically collected metadata types in the user's wireless terminal (positioning, touch, compass, ambient light, ambient temperature, 3-axis acceleration). Figure 14C shows a process flow where the user's device is programmed to automatically obtain the current metadata vector from the context inference engine. Both the Figures show that the wireless device automatically compiles a metadata vector, attaches the metadata vector to information on the current activity of the user and sends the metadata vector and activity as a pair to the server. The wireless device does not attach the metadata to the recommendations, but to the information it sends to trigger

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delivery of the recommendations. In addition, the metadata of SORVARI et al is not person-based metadata that identifies a subscriber.

Referring to present Claim 33, SORVARI does not disclose output means arranged to output to the user at least part of the content of a data element in connection with at least one selection option for selecting the name information of a subscriber for attaching person-based metadata that identifies the subscriber to the data element. In SORVARI, metadata is generated automatically so no such combined output is necessary, nor shown. SORVARI does not show or even suggested that the attached metadata would be person-based metadata, nor that it would be attached to a recommendation by the server according to a selection by the user of the wireless device.

Since the metadata of SORVARI is collected automatically, the user does not provide the metadata. In addition, SORVARI neither discloses input means arranged to receive as input from said connected output from the user said selection of a subscriber's name information, nor discloses the related step of fetching the subscriber address in the telecommunications system related to the selected name information from the first database.

Finally, SORVARI does not disclose attaching to the data element person-based metadata that contains the fetched

subscriber address in telecommunications system. As discussed above, the metadata of SORVARI is not person-based metadata and is not attached to the recommendations.

Alternatively, since the references are not completely explicit, there is another interpretation of the arguments referring to the data items. The metadata of SORVARI may also be attached to activity information that the user provides. This could imply that the Examiner interprets the activity information of SORVARI as metadata and metadata vector as data item. This interpretation does not, however, meet the claims, since neither of these data types could be considered as person-based metadata as claimed in the present invention.

In addition, the pair of current context and activity is not accessed later on by other subscribers, so furnishing that information with person-based metadata to control access to the information is not disclosed in SORVANI.

As for the arrangement of the second database and the server, the Official Action references Figures 11C and 11D of SORVANI. Figure 11C discloses an operation in the wireless device where past recommended recommendations from the service history are gathered and paired with the current context of the device, and the paired information is sent to a network server. Figure 11D shows the corresponding response of the server. The server

accesses from the database recommendations that correspond to the current context.

SORVARI does not, however, disclose using the person-based metadata and the subscriber address of a requesting user to check the requesting user's access right to the data element.

These deficiencies are not remedied by BARRY. BARRY describes a method of doing business over the Internet. The arrangement applies a plurality of screens used for interacting with the user. However, none of the used screens, including the StartOE screen of Figure 17, referred to in the Official Action, discloses a screen to output to the user at least part of the content of a data element in connection with at least one selection option for selecting the name information of a subscriber for attaching person-based metadata that identifies the subscriber to the data element. In general, BARRY does not deal with operations involving metadata and is thus silent on all the respective features applying the person-based metadata as claimed in the present invention.

It is submitted that neither SORVARI nor BARRY disclose attaching person-based metadata to data elements nor use of attached person-based metadata to control access to the data element.

The above-noted features, are absent from each of the references, are absent from the proposed combination, and thus,

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the proposed combination of references does not meet the present claims.

In addition, a person of ordinary skill in the art, having the knowledge on SORVARI and faced with the need to tag data for later control, would not have turned into BARRY as BARRY does not deal with control and storage of data elements.

Even if one were to consider BARRY the claimed invention would not have been obvious at least with respect to data elements furnished with person-based metadata and made accessible on the basis for this person-based metadata. BARRY does not disclose or even suggest associating data items with metadata, not to mention using person-based metadata for the purpose.

The analysis above regarding claim 33 equally applies to claim 43 with respect to the corresponding features. In addition it is noted that neither SORVARI nor BARRY disclose a mobile station producing data elements, nor a mobile station output where a produced data item and a view to name part of the phone list of the mobile station are displayed to the user.

The analysis above regarding claim 33 equally applies to claim 44 with respect to the corresponding features.

Regarding claim 53 the Official Action makes reference to paragraph [279] of SORVARI that describes a mobile user's privacy control feature that enables the user to designate which

application programs are granted access to the context awareness. Granting access to application programs of SORVARI does not meet the recited granting access to other subscribers in the present invention. In addition, in SORVARI the access is granted to context awareness information, not to the recommendations. The data elements (activity context pairs) comprising the metadata are not accessed by other subscribers of SORVARI and access to them is thus not controlled by that person-based metadata.

Reference is also made to paragraph [294] of SORVARI that describes a server maintaining a personal profile of the user's characteristics and preferences, and use of this profile to automatically formulate a query to the database. Use of personal profile to formulate a query does not meet the recited use of person-based metadata to control access to a data element in the database.

The analysis above regarding claim 33 equally applies to claims 54 and 55 with respect to the corresponding features. In addition, it is noted that the referred parts of SORVARI disclose elements of a wireless device, whereas claim 54 discloses a network element and claim 55 discloses a database system.
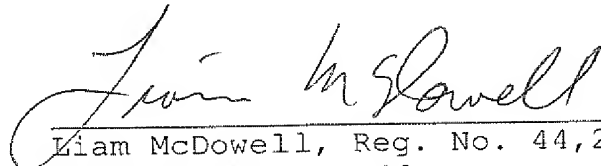
The analysis above regarding claim 33 equally applies to claim 60 with respect to the corresponding features.

In view of the present amendment and the foregoing remarks, it is believed that the application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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